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9-13-04

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,130	03/12/2004	Yoshihiro Kobayashi	9319S-000733

CONFIRMATION NO. 6935

27572
HARNES, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

FORMALITIES LETTER



OC000000013693053

Date Mailed: 09/01/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/02/2004 to the Notice to File Missing Parts (Notice) mailed 06/01/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-4.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

KT

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/800,130
	Filing Date	March 12, 2004
	First Named Inventor	KOBAYASHI
	Art Unit	Not yet assigned
	Examiner Name	Not yet assigned
Total Number of Pages in This Submission	Attorney Docket Number	9319S-000733

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Copy of Notice of Incomplete Reply; Response to Notice of Incomplete Reply; Replacement Drawings (4 sheets; Figs. 1-4); and return postcard
Remarks The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-3213. A duplicate copy of this sheet is enclosed.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name G. Gregory Schivley / Bryant E. Wade	Reg. No. 27,382 / 40,344
Signature			
Date	September <u>10</u> , 2004		

CERTIFICATE OF TRANSMISSION/MAILING

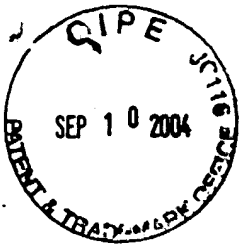
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	G. Gregory Schivley / Bryant E. Wade	Express Mail Label No.	EV 531 989 889 US
Signature		Date	September <u>10</u> , 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 531 989 889 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/800,130
Filing Date: March 12, 2004
Applicant: KOBAYASHI
Group Art Unit: Not yet assigned
Examiner: Not yet assigned
Title: MEASURING METHOD, MEASUREMENT-SIGNAL
OUTPUT CIRCUIT, AND MEASURING APPARATUS
Attorney Docket: 9319S-000733

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Sir:

The Notice of Incomplete Reply (Nonprovisional) indicates that the Response to Notice to File Missing Parts filed on August 2, 2004, included neither an English translation with a statement that the translation is accurate, nor Replacement drawings. Applicant respectfully asserts, however, that both the English translation with a statement that the translation is accurate and Replacement drawings were filed with the Response to Notice to File Missing Parts. This is evidenced by the returned postcard (copy enclosed) that bears the stamp of the Office of Initial Patent Examination (OIPE).

To clarify this situation, a telephonic interview was conducted with the OIPE on September 10, 2004. In the telephonic interview, the OIPE indicated that a copy of the

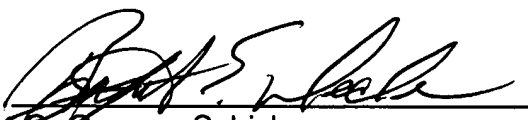
English translation with a statement that the translation is accurate was received with the Response to Notice to File Missing Parts. Copies of the Replacement drawings, however, could not be located. The OIPE requested, therefore, that only copies of the Replacement drawings be submitted in reply to the Notice of Incomplete Reply (Nonprovisional). As such, Applicant respectfully submits copies of the Replacement drawings as filed with the Response to Notice to File Missing Parts on August 2, 2004.

Applicants respectfully asserts that any fee for an extension of time as set forth in 37 C.F.R. § 1.136(a) is not required since, as evidenced by the enclosed copy of the OIPE stamped postcard, Replacement drawings were timely submitted with the Response to Notice to File Missing Parts. In the event that the OIPE takes a contrary position, however, the undersigned hereby authorizes the Commissioner to charge deposit account 50-3213 for any additional fees that may be required.

If the OIPE believes that personal communication will further expedite clarification of this matter, the OIPE is invited to telephone the undersigned at (248) 641-1600.

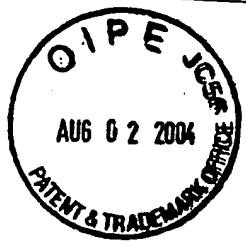
Respectfully submitted,

Dated: September 10, 2004

By: 
G. Gregory Schivley
Reg. No. 27,382
Bryant E. Wade
Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GGs/BEW/JAH

Applicant:	Yoshihiro KOBAYASHI	Case No.:	9319S-000733
Serial No.:	10/800,130	Filing Date:	March 12, 2004
Title:	MEASURING METHOD, MEASUREMENT-SIGNAL OUTPUT CIRCUIT, AND MEASURING APPARATUS		
Please acknowledge receipt of: Transmittal Form with Express Mail Label No. EV 533 145 695 US; Fee Transmittal (in duplicate); Copy of Notice to File Missing Parts; Replacement Drawings (Figs. 1 - 4); Verification of Translation; English Translation; Preliminary Amendment; Executed Oath/Declaration; Information Disclosure Statement; HDP 1449 Form; along with return postcard.			
E V 533 145 695 US		USPTO Date Stamp	
By stamping and returning to Harness, Dickey & Pierce, P.L.C.			
Due: 08/01/2004	Date Mailed: 08/02/2004	Attorney: GGS/BEW	